UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,739	02/22/2002	Timothy J. Tucker	AXAS.01USU1	4688

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EXAMINER
SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/082,739	TUCKER, TIMOTHY J.
	Examiner.	Art Unit
	Kristie Shingles	2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 February 2002_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 February 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _1/21/04_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-8 are pending.

Priority

1.   Acknowledgment is made of applicant's claim for domestic priority under 35 U.S.C. 120.

The certified copy has been filed in Provisional Application No. 60/325,423 filed on 9/26/2001.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on 1/21/2004 is in compliance

with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being

considered by the Office. An initialed and dated copy of Applicant's IDS form 1449, is attached

to the instant Office action.

Abstract

3.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The language should be clear and concise and should not repeat information given in the title. It

should avoid using phrases which can be implied, such as, "The disclosure concerns," "The

disclosure defined by this invention," "The disclosure describes," etc.

The abstract should be in narrative form and generally limited to a single paragraph on a

separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed

150 words in length since the space provided for the abstract on the computer tape used by the

printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims **1-3** are rejected under 35 U.S.C. 102(b) as being anticipated by *Church et al* (USPN 5,794,234).

    a.   **Per claim 1**, *Church et al* teach a method for transforming and transporting financial transaction data between a first computer system and a second computer system comprising:

- transforming said data using a first client application on said first computer system (col.2 lines 21-45, col.3 line25-col.4 line 17 and col.8 lines 8-15; data is transformed using a conversion procedure on the trading client);

- preparing a transaction using said first computer system, said transaction comprising said data (col.7 line 1-col.8 line 41 and col.11 lines 21-37);

- transporting said transaction to a server computer (col.11 lines 5-21, col.12 lines 25-36 and col.13 lines 14-41; transaction is transmitted to the network server);

- processing said data on said server computer (col.13 lines 14-41; the server processes the transaction data by organizing the electronic payment/electronic funds transfers);

- preparing said transaction using said server computer system (col.13 lines 14-41; server prepares transactions for routing and transmission by collating and performing other function such as decompression, decryption, etc);

- transporting said transaction to said second computer system (col.12 lines 25-37 andcol.13 lines 5-41; server forwards transactions to destination computer); and

- transforming said data using a second client application on said second computer system (col.8 lines 21-41, col.12 lines 37-61 and col.13 lines 5-13; the destination computer uses applies a conversion procedure on the incoming data).

b.   **Per claim 2**, *Church et al* teach the method of claim 1 wherein said step of preparing said transaction using said first computer system further comprises encrypting said data (col.2 lines 46-55; data is encrypted before transporting to the server).

c.   **Per claim 3**, *Church et al* teach the method of claim 1 wherein said step of preparing said transaction using said server computer system further comprises encrypting said data (col.4 lines 33-45; server encrypts data).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims **4, 7 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Church et al* (USPN 5,794,234) in view of *Håål et al* (USPN 6,237,041).

a.   **Per claim 4,** *Church et al* teach the method of claim 1 as applied above, yet fail to distinctly teach the method of claim 1 wherein said step of processing said data on said server computer further comprises transforming said data. However, *Håål et al* teach an integrating server that comprises transformation means for transforming the data from the client computer systems (Abstract, col.1 line 59-col.2 line 54, col.3 lines 1-62 and col.5 lines 14-41).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Church et al* and *Håål et al* for the purpose of extending the functions of the server's processing ability to be able to apply transformation and conversion procedures to the data; because it would permit inter-compatibility among the client devices connected to the server and provision integration means for clients communicating with the server in different formats.

b.   **Claim 7** is substantially similar to claims 1 and 4 and is therefore rejected under the same basis.

c.   **Per claim 8,** *Church et al* teach the data switch of claim 7 further comprising: storage registers in said server computer for storing a transaction while said transaction is being processed by said server computer, said storage registers being capable of storing said transaction in the event of a power failure, said server computer being able to restart a transaction using said storage registers in the event of a power failure (col.8 lines 8-28, col.9 line 7-col.10 line 67 and col.14 lines 25-51; server comprises storage means for the transaction data).

8.   Claims **5 and 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Church et al* (USPN 5,794,234) in view of *Maritzen et al* (USPN 5,987,429).

a.   **Per claim 5,** *Church et al* teach the method of claim 1 as applied above yet fail to distinctly teach method of claim 1 wherein said processing said data on said server computer comprises determining the value of said financial transaction and multiplying said value by a percentage to calculate a fee. However, *Maritzen et al* disclose calculating a fee by multiplying a rate for determining the transaction fee (Abstract and col.7 line 23-col.8 line 36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Church et al* and *Maritzen et al* for the purpose of provisioning fee-calculation capabilities; because it would allow for compensation of the services extended from the server and financial institutions involved in processing the transaction.

b.   **Claim 6** contains limitations that are substantially similar to claims 1 and 5 and is therefore rejected under the same basis.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a.   *Navarre et al* (USPN 6,442,611) disclose a system and method for executing a request from a client application.

b.   *Bodamer et al* (USPN 6,236,997) disclose an apparatus and method for accessing foreign databases in a heterogeneous database system.

c.   *Lewis* (USPN 6,473,805) discloses a method and apparatus for integrating wireless and non-wireless devices into an enterprise computer network using an interfacing midware server.

d.   *Ikegaya et al* (USPN 6,148,305) disclose a data processing method for use with a coupling facility.

e.   *Utsumi* (USPN 6,195,677) discloses a distributed network computing system for data exchange/conversion between terminals.

f.   *Koike et al* (USPN 6,742,181) disclose an inter-application data transmitting/receiving system and method.

g.   *Kuznetsov* (USPN 6,772,413) discloses a method and apparatus of data exchange using runtime code generator and translator.

h.   *Taylor* (USPN 6,785,730) discloses a generic communications protocol translator.

i.   *Nussbaum et al* (USPN 6,779,154) disclose an arrangement for reversibly converting extensible markup language documents to hypertext markup language documents.

j.   *Atarashi et al* (USPN 6,173,312) disclose a system for reliably connecting a client computer to a server computer.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
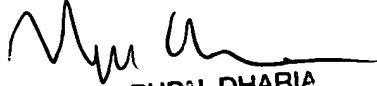
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER